

Applicant: Soto, et al.
USSN: 09/512,581

This listing of claims replaces all prior versions and listings of claims in the application: Please amend claims 5, 8-9, 12, and 47 as follows, and cancel claims 4 and 69.

Listing of Claims

1. (Original) An isolated nucleic acid molecule selected from the group consisting of:
 - (a) a nucleic acid molecule comprising the nucleotide sequence set forth in SEQ ID NO:1; and
 - (b) a nucleic acid molecule comprising the nucleotide sequence set forth in SEQ ID NO:3.
2. (Original) An isolated nucleic acid molecule which encodes a polypeptide comprising the amino acid sequence set forth in SEQ ID NO:2.
3. (Canceled)
4. (Canceled)
5. (Currently and previously amended) An isolated nucleic acid molecule consisting of ~~comprising~~ a fragment of at least 250 nucleotides of a nucleic acid comprising the nucleotide sequence of SEQ ID NO:1 or 3, or a complement thereof.
- 6-7. (Canceled).
8. (Currently and previously amended) An isolated nucleic acid molecule comprising the nucleic acid molecule of any one of claims 1, 2, 4, ~~or~~ 5, and 68, and a nucleotide sequence coding a heterologous polypeptide.
9. (Currently and previously amended) A vector comprising the nucleic acid molecule of any one of claims 1, 2, , 4, ~~or~~ 5, and 68.
10. (Original) The vector of claim 9, which is an expression vector.

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11. (Previously amended) An isolated host cell transfected with the expression vector of claim 10.

12. (Currently and previously amended) A method of producing the polypeptide of SEQ ID NO: 2, comprising culturing the isolated host cell of claim 11 in an appropriate culture medium to, ~~and producing~~ thereby producing, the polypeptide of SEQ ID NO: 2.

13-46. (Canceled)

47. (Currently and previously amended) A kit ~~for diagnosing a mammal for the presence of a prostate cell proliferative condition or an increased likelihood of developing a prostate cell proliferative condition compared to an unaffected mammal, the kit~~ comprising the nucleic acid of any of claims 1, 2, 5 and 68 for measuring AS3 (Androgen Shutoff Gene 3) RNA.

48. (Currently and previously amended) A method of obtaining the AS3 (Androgen Shutoff Gene 3) polypeptide of SEQ ID NO: 2, the method comprising:

- (a) providing an isolated cell with DNA encoding the AS3 (Androgen Shutoff Gene 3) polypeptide of SEQ ID NO: 2, the DNA being positioned for expression in the cell;
- (b) culturing the cell under conditions for expressing the DNA; and
- (c) isolating the AS3 polypeptide, whereby an AS3 (Androgen Shutoff Gene 3) polypeptide is obtained.

49-67. (Canceled)

68. (Previously added) An isolated nucleic acid molecule comprising nucleotides 1-5253 of SEQ ID NO: 1.

69. (Canceled)